

KEVIN G. HORBATIUK (KGH-4977)  
RUSSO, KEANE & TONER, LLP  
Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
**CUNNINGHAM DUCT CLEANING CO., INC.**  
26 Broadway - 28th Floor  
New York, New York 10004  
(212) 482-0001

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**IN RE COMBINED WORLD TRADE CENTER  
AND LOWER MANHATTAN DISASTER SITE  
LITIGATION**

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**21 MC 102 (AKH)**

**DELTA E. SANCHEZ and FIELMON M. ROJAS**

**DOCKET NO:  
07 CV 8286**

Plaintiffs,  
-against-

**100 CHURCH, LLC, 80 LAFAYETTE ASSOCIATES,  
INC., LLC., 90 CHURCH STREET LIMITED  
PARTNERSHIP, ALAN KASMAN DBA KASCO,  
AMBIENT GROUP, INC., ANN TAYLOR  
STORES CORPORATION, B.R. FRIES & ASSOCIATES,  
INC., BATTERY PARK CITY AUTHORITY,  
BEFLOR USA GROUP, INC., BLACKMON-  
STEAMATIC CATASPHOHE, INC., D/B/A BMS  
CAT, BLUE MILLENNIUM REALTY LLC., BOSTON  
PROPERTIES, INC., BROOKFIELD FINANCIAL  
PROPERTIES, INC., BROOKFIELD FINANCIAL  
PROPERTIES, L.P., BROOKFIELD PARTNERS, L.P.,  
BROOKFIELD PROPERTIES CORPORATION,  
BROOKFIELD PROPERTIES HOLDINGS, INC.,  
CENTURY 21, INC., CUNNINGHAM DUCT  
CLEANING CO., ENVIROTECH CLEAN  
AIR, INC., GPS ENVIRONMENTAL CONSULTANTS,  
INC., GRUBB & ELLIS MANAGMENTS SERVICES,  
HILLMAN ENVIRONMENTAL GROUP, LLC.,  
INDOOR AIR PROFESSIONALS, INC., INDOOR  
ENVIRONMENTAL TECHNOLOGY, INC., KASCO  
RESTORATION, SERVICES, CO., LAW ENGINEERING,  
P.C., MAYORE ESTATES LLC., MAYORE  
ESTATES LLC AND 80 LAFAYETTE**

**NOTICE OF  
ADOPTION OF  
ANSWER TO  
MASTER COMPLAINT**

**ASSOCIATION, LLC AS TENANTS IN  
COMMON, MERRILL LYNCH & CO., INC.,  
NOMURA HOLDING AMERICA, INC.,  
NOMURA SECURITIES INTERNATIONAL, INC.,  
ROYAL AND SUNALLIANCE INSURANCE GROUP,  
PLC STONER AND COMPANY, INC., STRUCTURE  
TONE (UK) INC., STRUCTURE TONE GLOBAL  
SERVICES, INC., TOSCORP INC., TRC ENGINEERS,  
INC., WESTON SOLUTIONS, INC., WFP TOWER B  
CO. G.P., CORP., WFP TOWER B HOLDING CO., L.P.,  
WFP TOWER B. CO., LP., AND ZAR REALTY  
MANAGEMENT CORP., ET AL.**

**Defendants.**

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**PLEASE TAKE NOTICE**, that defendant CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC. ("CUNNINGHAM"), by its attorneys, RUSSO, KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

**WHEREFORE**, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
February 1, 2008

Kevin G. Horbatiuk  
Kevin G. Horbatiuk (KGH4977)  
Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
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**CO., INC.**  
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RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESQ.,  
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**DELTA E. SANCHEZ and FIELMON M. ROJAS**  
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(212) 267-3700

CERTIFICATION OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 1st day of February, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,  
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KEVIN G. HORBATIUK